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EXAMINER
SINGH, SATWANT K

ART UNIT	PAPER NUMBER
2625	

NOTIFICATION DATE	DELIVERY MODE
03/05/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No.	Applicant(s)	
	09/773,619	HARA, MAKOTO	
	Examiner	Art Unit	
	Satwant K. Singh	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 November 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *5,7,12,14 and 22-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *5,7,12,14 and 22-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 February 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to the amendment filed on 29 November 2007.

Response to Arguments

2. Applicant's arguments filed 29 November 2007 have been fully considered but they are not persuasive. Applicant argues that the prior art of Stewart et al fails to disclose a customer service system, via a network, ***order information sent by a customer and representing at least one print service to be performed on image data***. The examiner respectfully disagrees. Stewart discloses in col. 6, lines 51-62, that the upload manager handles upload and recovery of data for print jobs on the network. Once the document is completed by the client, it is then uploaded and transmitted to a server for reproduction processing. Stewart also discloses in col. 6, lines 18-27, that the local applications can be used to create a document. This is all done at the client terminal, by the client, and not at a separate location.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 5, 7, 12, 14, 22-25, and 29-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Stewart et al. (US 6,714,964).

5. Regarding Claim 5, Stewart et al disclose a printing system comprising: at least one customer service system (client side of the network 300a) for receiving, via a network (network 300), order information sent by a customer (a complete document has been uploaded and transmitted to a server for reproduction processing) (col. 6, lines 51-62) and representing at least one print service to be performed on image data (Fig. 5, S422) (col. 8, lines 12-25), ***(the examiner interprets a document being transmitted to the print side for shipping and delivery as representing a print order)***; a plurality of laboratory servers (Fig. 2C) (print side 300c) (redundant queues (queue 1 and queue 2) manage the print jobs to be printed) for performing print services on image data (after a document has been sent to the UPJA, it can be sent to the printer side) (col. 7, lines 19-31); and an order assigning system (back end side 300b) existing between the at-least-one customer service system and the laboratory servers, for receiving the order information from the customer service system (relevant file information sent from the spooler 344 via the port monitor and upload manager to a web server) (col. 5, lines 42-47), and for transferring the order information to a selected laboratory server (UPJA receives the document as it is transmitted across the network) (col. 6, lines 63-67, col. 7, lines 1-7); wherein the order assigning system determines the selected laboratory server based on predetermined information (relevant file information) (after the relevant file information is sent to the port monitor, a check is performed to determine whether a valid component is used to print the document) (col. 5, lines 42-47), and; wherein the predetermined information is information in the order information specifying one of the

laboratory servers(relevant file information sent from the spooler 344 via the port monitor and upload manager to a web server) (col. 5, lines 42-47).

6. Regarding Claim 7, Stewart et al disclose a printing system comprising: at least one customer service system (client side of the network 300a) for receiving, via a network (network 300), order information sent by a customer (a complete document has been uploaded and transmitted to a server for reproduction processing) (col. 6, lines 51-62) and representing at least one print service to be performed on image data (Fig. 5, S422) (col. 8, lines 12-25) ***(the examiner interprets a document being transmitted to the print side for shipping and delivery as representing a print order)***; a plurality of laboratory servers (Fig. 2C) (print side 300c) (redundant queues (queue 1 and queue 2) manage the print jobs to be printed) for performing print services on image data (after a document has been sent to the UPJA, it can be sent to the printer side) (col. 7, lines 19-31); and an order assigning system (back end side 300b) existing between the at-least-one customer service system and the laboratory servers, for receiving the order information from the customer service system, for selecting one of the laboratory servers to perform the at least one print service on the image data (relevant file information sent from the spooler 344 via the port monitor and upload manager to a web server) (col. 5, lines 42-47), wherein the selection of the laboratory server is based on predetermined information (relevant file information) (after the relevant file information is sent to the port monitor, a check is performed to determine whether a valid component is used to print the document) (col. 5, lines 42-47), and for transferring the order information to the selected laboratory server (UPJA receives the document as it is

transmitted across the network) (col. 6, lines 63-67, col. 7, lines 1-7); wherein the order assigning system transfers laboratory information regarding at least one of the plurality of laboratory servers to the customer service system that received the order information (a check is performed to compare the components of the print driver stored in the file with information stored in a registry) (col. 5, lines 42-66), the customer service system generates selection information (relevant file information) for determining the selected laboratory servers based on the laboratory information transferred from the order assigning system, and transfers the selection information to the order assigning system (validating the print driver) (col. 5, lines 42-66), and the order assigning system uses the selection information as the predetermined information (relevant file information sent from the spooler 344 via the port monitor and upload manager to a web server) (col. 5, lines 42-47).

7. Regarding Claim 12, Stewart et al disclose a printing system comprising: a plurality of laboratory servers (Fig. 2C) (print side 300c) (redundant queues (queue 1 and queue 2) manage the print jobs to be printed) for outputting a print (after a document has been sent to the UPJA, it can be sent to the printer side) (col. 7, lines 19-31); and at least one order receiving assigning system comprising a customer service system (client side of the network 300a) for receiving via a network, order information sent by a customer (a complete document has been uploaded and transmitted to a server for reproduction processing) (col. 6, lines 51-62) and representing at least one print service to be performed on image data (Fig. 5, S422) (col. 8, lines 12-25) ***(the examiner interprets a document being transmitted to the print side for shipping***

and delivery as representing a print order), and an assigning system (back end side 300b) for selecting, based on predetermined information (relevant file information), one of the laboratory servers to receive the order information (after the relevant file information is sent to the port monitor, a check is performed to determine whether a valid component is used to print the document) (col. 5, lines 42-47), and for transferring the order information to the selected laboratory server (after a document has been sent to the UPJA, it can be sent to the printer side) (col. 7, lines 19-31); wherein the predetermined information is information in the order information identifying one of the laboratory servers (relevant file information sent from the spooler 344 via the port monitor and upload manager to a web server) (col. 5, lines 42-47).

8. Regarding Claim 14, Stewart et al disclose a printing system comprising: a plurality of laboratory servers for outputting a print (Fig. 2C) (print side 300c) (redundant queues (queue 1 and queue 2) manage the print jobs to be printed); and at least one order receiving assigning system comprising a customer service system for receiving, via a network, order information sent by a customer (a complete document has been uploaded and transmitted to a server for reproduction processing) (col. 6, lines 51-62) and representing at least one print service to be performed on image data (Fig. 5, S422) (col. 8, lines 12-25) and including customer information from a customer (Fig. 5, S424 and S442) (col. 8, lines 12-25) ***(the examiner interprets a document being transmitted to the print side for shipping and delivery as representing a print order)***, and an assigning system for selecting (back end side 300b), based on predetermined information (relevant file information), one of the laboratory servers to

receive the order information (after the relevant file information is sent to the port monitor, a check is performed to determine whether a valid component is used to print the document) (col. 5, lines 42-47), and for transferring the order information to the selected laboratory server(after a document has been sent to the UPJA, it can be sent to the printer side) (col. 7, lines 19-31); wherein the order receiving assigning system or systems generate selection information for determining the selected laboratory servers based on laboratory information related to at least one of the plurality of laboratory servers (a check is performed to compare the components of the print driver stored in the file with information stored in a registry) (col. 5, lines 42-66), and use the selection information as the predetermined information (relevant file information sent from the spooler 344 via the port monitor and upload manager to a web server) (col. 5, lines 42-47).

9. Regarding Claim 22, Stewart et al disclose a printing system, wherein the order assigning system determines the selected laboratory server based on the laboratory information and customer-specific information (relevant file information includes printer name, job id, printing level and document information) (col. 5, lines 42-47).

10. Regarding Claim 23, Stewart et al disclose a printing system, wherein the laboratory information is based on the location of at least one laboratory (relevant file information includes printer name; job id, printing level and document information) (col. 5, lines 42-47) and said customer-specific information is a customer's address or a customer's area code (documents are replicated on printers for ultimate shipping and

delivery of the completed product to an address or location specified by the user) (col. 7, lines 19-41).

11. Regarding Claim 24, Stewart et al disclose a printing system, wherein the order assigning system determines the selected laboratory server based on the laboratory information and the at least one print service represented the order information (relevant file information includes printer name, job id, printing level and document information) (col. 5, lines 42-47).

12. Regarding Claim 25, Stewart et al disclose a printing system, wherein the laboratory information includes information regarding the capability of the at least one laboratory for performing the particular print service (print driver builds and creates objects necessary to communicate with the selected printing device) (col. 6, lines 22-31).

13. Regarding Claim 29, Stewart et al disclose a printing system, wherein the selected laboratory server is determined based on the laboratory information and customer-specific information (relevant file information includes printer name, job id, printing level and document information) (col. 5, lines 42-47).

14. Regarding Claim 30, Stewart et al disclose a printing system, wherein the laboratory information includes the location of the at least one laboratory (relevant file information includes printer name, job id, printing level and document information) (col. 5, lines 42-47) and said customer-specific information is a customer's address or a customer's area code (documents are replicated on printers for ultimate shipping and

delivery of the completed product to an address or location specified by the user) (col. 7, lines 19-41).

15. Regarding Claim 31, Stewart et al disclose a printing system, wherein the selected laboratory server is determined based on the laboratory information and the at least one print service represented by the order information (relevant file information includes printer name, job id, printing level and document information) (col. 5, lines 42-47).

16. Regarding Claim 32, Stewart et al disclose a printing system, wherein the laboratory server information includes information regarding the capability of the at least one laboratory for performing the particular print service (print driver builds and creates objects necessary to communicate with the selected printing device) (col. 6, lines 22-31).

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

18. Claims 26-28, and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stewart et al. in view of Aoki (US 6,631,008).

19. Regarding Claim 26, Stewart et al fail to teach a printing system, wherein the laboratory information includes information regarding load status of the at least one laboratory server.

Aoki teaches a printing system, wherein the laboratory information includes information regarding load status of the at least one laboratory server (how much load a printer has) (col. 12, lines 18-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Stewart with the teaching of Aoki to determine whether or not to transmit a print job to a printer depending on its workload.

20. Regarding Claim 27, Stewart et al fail to teach a printing system, wherein the load status of the at least one laboratory server is determined by querying, at the time of selection, the at least one laboratory server for load status information.

Aoki teaches a printing system, wherein the load status of the at least one laboratory server is determined by querying, at the time of selection, the at least one laboratory server for load status information (inquiry message) (col. 12, lines 18-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Stewart with the teaching of Aoki to determine whether or not to transmit a print job to a printer depending on its workload.

21. Regarding Claim 28, Stewart et al fail to teach a printing system, wherein the load status of the at least one laboratory server is determined by querying, at the time of selection, a database containing load status information for the at least one laboratory server.

Aoki teaches a printing system, wherein the load status of the at least one laboratory server is determined by querying, at the time of selection, a database containing load status information for the at least one laboratory server (inquiry message) (col. 12, lines 18-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Stewart with the teaching of Aoki to determine whether or not to transmit a print job to a printer depending on its workload.

22. Regarding Claim 33, Stewart et al fail to teach a printing system, wherein the laboratory information includes a determined load status of the at least one laboratory server.

Aoki teaches a printing system, wherein the laboratory information includes a determined load status of the at least one laboratory server (how much load a printer has) (col. 12, lines 18-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Stewart with the teaching of Aoki to determine whether or not to transmit a print job to a printer depending on its workload.

23. Regarding Claim 34, Stewart et al fail to teach a printing system, wherein the load status of the at least one laboratory server is determined by querying, at the time of selection, the at least one laboratory server for load status information.

Aoki teaches a printing system, wherein the load status of the at least one laboratory server is determined by querying, at the time of selection, the at least one laboratory server for load status information (inquiry message) (col. 12, lines 18-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Stewart with the teaching of Aoki to whether or not to transmit a print job to a printer depending on its workload.

24. Regarding Claim 35, Stewart et al fail to teach a printing system, wherein the load status of the at least one laboratory server is determined by querying, at the time of selection, a database containing load status information for the at least one laboratory server.

Aoki teaches a printing system, wherein the load status of the at least one laboratory server is determined by querying, at the time of selection, a database containing load status information for the at least one laboratory server (inquiry message) (col. 12, lines 18-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Stewart with the teaching of Aoki to determine whether or not to transmit a print job to a printer depending on its workload.

25. Regarding Claim 36, Stewart et al fails to teach a printing system, wherein the selection information includes a candidate list of candidate laboratory servers determined based at least on the laboratory information transferred from the order assigning system.

Aoki teaches a printing system, wherein the selection information includes a candidate list of candidate laboratory servers determined based at least on the laboratory information transferred from the order assigning system (device information inquiry system) (col. 8, lines 50-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Stewart with the teaching of Aoki to determine the best printer capable of handling the print job.

26. Regarding Claim 37, Stewart et al fails to teach a printing system, wherein the customer service system allows a user to designate the desired one of the laboratory servers from the selection information and wherein the order assigning system uses the user designation as the predetermined information.

Stewart et al fails to teach a printing system, wherein the customer service system allows a user to designate the desired one of the laboratory servers from the selection information and wherein the order assigning system uses the user designation as the predetermined information (corresponding to the inquiring signal, one of the printers is selected) (col. 8, lines 50-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Stewart with the teaching of Aoki to determine the best printer capable of handling the print job.

27. Regarding Claim 38, Stewart et al fails to teach a printing system, wherein the selection information includes a candidate list of candidate laboratory servers

determined based at least on the laboratory information transferred from the order assigning system.

Aoki teaches a printing system, wherein the selection information includes a candidate list of candidate laboratory servers determined based at least on the laboratory information transferred from the order assigning system (device information inquiry system) (col. 8, lines 50-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Stewart with the teaching of Aoki to determine the best printer capable of handling the print job.

28. Regarding Claim 39, Stewart et al fails to teach a printing system, wherein the customer service system allows a user to designate the desired one of the laboratory servers from the selection information and wherein the order assigning system uses the user designation as the predetermined information.

Stewart et al fails to teach a printing system, wherein the customer service system allows a user to designate the desired one of the laboratory servers from the selection information and wherein the order assigning system uses the user designation as the predetermined information (corresponding to the inquiring signal, one of the printers is selected) (col. 8, lines 50-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Stewart with the teaching of Aoki to determine the best printer capable of handling the print job.

Conclusion

29. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SATWANT K. SINGH whose telephone number is (571)272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Satwant K. Singh
Examiner
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sks

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